

10/772,678

Patent Docket P1778R1C2  
Page 12**REMARKS**

At the time of the 12/14/04 Office Action, claims 1-24 were pending in the instant application. Upon cancellation of claims 3-4, 7-8, 11-12 and 20-24; amendment of claims 1-2, 5-6, 9-10 and 13-14; and the addition of new claims 25-29; the instant application will have pending claims 1-2, 5-6, 9-10, 13-19 and 25-29.

**Restriction Requirement**

Pending claims 1-24 were subject to election of species and restriction to groups I-IV under 35 U.S.C. § 121:

- I. claims 1-22, drawn to compounds of formulas I or II, and a composition.
- II. claims 1-22, drawn to a compound of formula III and a composition.
- III. claims 23-24, drawn to method of treating a disease or condition using a compound of formulas I or II.
- IV. claims 23-24, drawn to method of treating a disease or condition using a compound of formula III.

Applicants elect without traverse the invention of group I and the single species compound no. 023 found on page 35 of the specification.

Applicants have amended the claims to correspond to the elected invention and to correct a typographical error in claims 5, 9 and 10 relating to the definition of  $X_1$ , which should be  $C(O)OR$ ,  $C(O)NRaRb$ ,  $C(O)R$  or  $C(O)SR$  wherein the substituents R, Ra and Rb are (or together form) a heterocyclic ring which may be substituted as defined. Applicants have added new claims 25-29 directed to particular embodiments of the invention. The amendment to the definition of  $X_1$  and the new claims are fully supported in the specification and claims and do not add new subject matter.

Respectfully submitted,  
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\*A copy of a document pursuant to 37 CFR §11.9(b) is attached as proof of the authorization of the above to prosecute this application. The original of this document is on file in the Office of Enrollment and Discipline